In the High Court of Judicature at Madras

Dated:21.08.2006

Coram:

The Honourable Mr. Justice P. SATHASIVAM
and
The Honourable Mr. Justice S.MANI KUMAR

Habeas Corpus Petition No.725 of 2006

P.V.Gnanamuthu .. Petitioner

vs.

1. The State of Tamil Nadu,
   rep. by its Secretary to Government,
   Home Department,
   Chennai 9.

2. The Inspector of Police,
   Sennimalai Police Station,
   Erode District.

3. Manager,
   Matha Amirthananda Maye Devi Ashram,
   Vallikkavu, Ochira,
   Pokollam District,
   Kerala State. .. Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Habeas corpus as stated therein.

For petitioner : Mr.N.Subramani

For respondents : Mr.M.Babu Muthu Meeran,
Addl.Public Prosecutor for R1& R2

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ORDER

(Order of the Court was made by P. SATHASIVAM,J.)

Petitioner, by name, P.V.Gnanamuthu has filed this petition, seeking direction to the respondents for production of Vijay Selvan and Chandrika, the son and daughter, from the illegal custody of Matha Amirthananda

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Maye Devi Ashraman at Vallikkavu, Ochira, Pokollam District, Kerala State and set them at liberty.

2. Pursuant to the direction of this Court, both detenus appeared before us. According to Mr.Vijay Selvan, he is aged about 34 years and studied B.E. He also asserted that he is not under illegal custody or detention of anyone including the third respondent. He further asserted that on his own volition, he is staying at the third respondent Ashramam. He also informed us that there is no restriction in meeting them at the third respondent Ashramam.

3. Chandrika, another detenue, daughter of the petitioner also appeared before us. We enquired her. According to her, she is aged about 31 years. She informed us that after discontinuing her studies, at her own interest, she joined the third respondent Ashramam. She also like her brother, asserted that she is not under illegal custody or detention of anyone including the third respondent.

4. The detenues expressed their willingness to continue in the third respondent Ashramam.

5. In the light of their assertion and of the fact that both of them are being major, we are satisfied that they are not under illegal custody or detention with the third respondent. They are free to continue their avocation.

In the light of the above information, we are of the view that no further adjudication is required in this petition; accordingly, the same is dismissed.

gl

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1. The Secretary to Government
   Home Department,
   Fort St. George
   Chennai 9.

2. The Inspector of Police,
   Sennimalai Police Station,
   Erode District.

3. The Public Prosecutor
   High Court, Madras.

TEJ(CO)
NM(30.08.2006)

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